

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION

MDL NO. 1456
Civil Action No. 01-12257-PBS

THIS DOCUMENT RELATES TO
01-CV-12257-PBS AND 01-CV-339

Hon. Patti B. Saris

NOTICE OF FILING UNDER SEAL

To: All Counsel of Record

Please take notice that on January 21, 2005, we caused to be filed with the Clerk of the District of Massachusetts under seal the following:

1. Track One Defendants' Sur-Reply in Opposition to Class Certification, with Appendix thereto;
2. Track One Defendants' Memorandum in Opposition to Plaintiffs' Motion to Strike the Declaration of Steven J. Young;
3. Track One Defendants' Memorandum in Opposition to Plaintiffs' Motion to Strike the Declaration of Eric M. Gaier, Ph.D.;
4. AstraZeneca Pharmaceutical LP's Individual Sur-Reply in Opposition to Plaintiffs' Motion for Class Certification, and Exhibits thereto;
5. Defendant Bristol-Myers Squibb's Individual Sur-Reply Memorandum in Opposition to Class Certification, and Exhibit thereto;
6. The Johnson & Johnson Group's Sur-Reply Memorandum in Opposition to Class Certification, and Exhibits thereto;
7. The Schering-Plough Group's Individual Memorandum in Opposition to Class Certification; and
8. Sur-Reply Declaration of Eric M. Gaier, Ph.D. in Support of Defendant's Opposition to Class Certification, and Exhibits thereto; and
9. Sur-Reply of Steven J. Young in Opposition to the Plaintiff's Motion for Class Certification, and Exhibits thereto.

Respectfully submitted,

THE TRACK 1 DEFENDANTS

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Dated: January 21, 2005

CERTIFICATE OF SERVICE

I certify that on January 21, 2005, a true and correct copy of the foregoing Track I Defendants' Motion for Leave to File Under Seal was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties.

/s/ Jessica V. Barnett
Jessica V. Barnett